

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 27, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JORDY SCOTT DEBOER,

Defendant.

No. 2:22-CR-00094-TOR-2

ORDER GRANTING
DEFENDANT'S MOTION TO
MODIFY CONDITIONS OF
RELEASE

ECF No. 73

On Tuesday, December 27, 2022, the Court conducted a hearing on Defendant's Motion to Modify Conditions of Release (ECF No. 73). Defendant was represented by retained counsel David Miller. Assistant United States Attorney Becky Perez represented the United States. With Defendant's consent, Defendant appeared by video.

On September 15, 2022, Magistrate Judge James A. Goeke held a detention hearing and granted the United States' Motion for Detention (ECF No. 38). ECF No. 49. However, Defendant later motioned to reopen detention, and the Court granted his release to inpatient treatment on November 17, 2022. ECF No. 69. Having successfully completed treatment, Defendant has filed a motion for this

1 Court to grant his release to reside at a clean and sober residence, Oxford
2 Roosevelt House. *See* ECF No. 73. Neither the United States, nor United States
3 Probation/Pretrial Services have any objection to Defendant's release. *Id.*

4 Pursuant to 18 U.S.C. § 3142, this Court has taken into account the nature
5 and circumstances of the offense charged, the weight of the evidence against the
6 Defendant, as well as Defendant's history and characteristics, including character,
7 physical and mental condition, family ties, employment, financial resources, length
8 of residence in the community, community ties, past conduct and history relating
9 to alcohol and drug abuse, and also criminal history, record concerning appearance
10 at court proceedings, whether Defendant was under supervision at the time of the
11 alleged offense, and the nature and seriousness of the danger to the community
12 posed by Defendant's release.

13 Considering Defendant's completion of inpatient treatment and the United
14 States' lack of objection to release, the Court finds that the United States has not
15 established by the required preponderance of evidence conditions or a combination
16 of conditions of release that would reasonably assure Defendant's appearance as
17 required. Furthermore, the United States has not established by clear and
18 convincing evidence that Defendant does not pose a present risk to the safety of
19 other persons or the community that cannot be mitigated by conditions or a
20 combination of conditions of release.

1 Accordingly, **IT IS ORDERED:**

2 1. Defendant's Motion to Reopen Detention Hearing (**ECF No. 73**) is
3 **GRANTED.**
4 2. Defendant shall be released on all previously imposed conditions of
5 release. In addition, Defendant shall abide by the following additional condition(s)
6 of release:

7 1. Defendant shall reside at Oxford Roosevelt House.

8 2. Defendant shall notify the United States

9 Probation/Pretrial Services Office within 24 hours of any

10 change in address, telephone number, or employment.

11 **IT IS SO ORDERED.**

12 DATED December 27, 2022.

The signature of Alexander C. Ekstrom is written in blue ink above a horizontal line. The signature is cursive and matches the printed name below it.

ALEXANDER C. EKSTROM

UNITED STATES MAGISTRATE JUDGE